

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY FEBRUARY 4, 2016
INDIANA GOVERNMENT CENTER SOUTH, ROOM W064
402 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Theodore Mau, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT:

Thomas Sproles, Chairman
Christopher Cooke, Vice Chairman
Robert Loose
Donald Alford
Theodore Mau
Roland Cutter
Tasha Smith, State Department of Health

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Jennifer Broadbent, Assistant Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted as amended.

Sproles/Mau
7/0/0
Motion carried.

ADOPTION OF THE MINUTES OF THE DECEMBER 3, 2015, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the December 3, 2015 meeting.

Loose/Cutter
7/0/0
Motion carried.

ELECTION OF CHAIRMAN FOR 2016-2017

A motion was made and seconded to nominate Thomas Sproles as Chairman for 2016-2017.

Loose/Cutter
7/0/0
Motion carried.

A motion was made and seconded to elect Thomas Sproles as Chairman for 2016-2017.

Mau/Cutter
7/0/0
Motion carried.

ADMINISTRATIVE HEARINGS

1. Administrative Hearing in the matter of Glenn E. George Funeral Home, FH83006499, CA09100616, SBFCS 14-14

A motion was made and seconded to remove probation.

Loose/Alford
5/0/2
Motion carried.

2. Administrative Hearing in the matter of Marvin Boatright, SBFCS 16-02

A motion was made and seconded to grant the motion for continuance.

Loose/Alford
5/0/2
Motion carried.

3. Administrative Hearing in the matter of Guy Barker, SBFCS 15-45

A motion was made and seconded to dismiss the cause due to the fact that Barker's wife has applied for and has been issued a cemetery registration.

Mau/Cooke
4/0/3
Motion carried.

4. Administrative Hearing in the matter of Thomas W, Root, FD01023461, SBFCS 15-39

A motion was made and seconded to find Respondent in violation of the counts indicated in the complaint, impose a civil penalty of \$500.00, require an additional one hour of continuing education to be completed within 90 days, impose the \$5 fee to the health records and personal identifying information protection trust fund, and issue a letter of reprimand.

Alford/Cutter
5/0/2
Motion carried.

5. Administrative Hearing in the matter of J. Bruce Baker, FD01009990 SBFCS 16-03 and Baker Funeral Home, FH19700017, SBFCS 16-04

A motion was made and seconded to summarily suspend Baker Funeral Home, FH19700017, SBFCS 16-04 for a period of 90 days.

Loose/Alford
5/0/2
Motion carried.

A motion was made and seconded to summarily suspend J. Bruce Baker, FD01009990 SBFCS 16-03 for a period of 90 days.

Loose/Alford
5/0/2
Motion carried.

6. Administrative Hearing in the matter of Gregory Wade Thayer, FD08600369, SBFCS 15-43

A motion was made and seconded to extend the summary suspension for a period of 90 days.

Cutter/Smith
5/0/2
Motion carried.

7. Administrative Hearing in the matter of Anthony E. George, FD01018719, SBFCS 15-05

A motion was made and seconded to remove probation.

Cutter/Alford
5/0/2
Motion carried.

8. Administrative Hearing in the matter of Glenn E. George Funeral Home, FH83006499, CA09100616, SBFCS 14-14

A motion was made and seconded to remove probation.

Alford/Cutter
5/0/2
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

No report provided.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR RENEWAL OF CERTIFICATE OF AUTHORITY

1. Baker Funeral Home, CA29800039 (FH19700017)

A motion was made and seconded to refer the matter to the Office of the Attorney General.

Loose/Cooke
7/0/0
Motion carried.

2. Hall-Baker Funeral Home, CA29400007 (FH89200014)

A motion was made and seconded to approve on indefinite probation with no right to petition for reinstate for a period of one year and file a complaint with the Office of the Attorney General.

Cooke/Loose
7/0/0
Motion carried.

PERSONAL APPEARANCE, CONSIDERATION OF REQUEST FOR REINSTATEMENT FROM SUSPENSION, AND APPLICATION FOR RENEWAL OF FUNERAL DIRECTOR LICENSES

1. Mark C. Baker, FD29400072

A motion was made and seconded to remove suspension and approve renewal pending completion of the four continuing education hours of funeral and cemetery law. Tom Sproles will review the continuing education before granting staff approval to renew the license.

Loose/Alford
5/0/2
Motion carried.

2. Gregory Monnett, FD08700507

A motion was made and seconded to remove suspension and approve renewal pending completion of the four continuing education hours of funeral and cemetery law. Tom Sproles will review the continuing education before granting staff approval to renew the license.

Loose/Alford
5/0/2
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR RENEWAL OF FUNERAL DIRECTOR LICENSES

1. J. Bruce Baker, FD01009990

A motion was made and seconded to deny the application based on the fact that his license was previously placed on emergency suspension.

Cutter/Loose
5/0/2
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR RENEWAL OF FUNERAL HOME LICENSES

1. Poindexter-McClure Funeral Home, Inc., FH11200033

A motion was made and seconded to approve the renewal.

Alford/Cutter
4/0/3
Motion carried.

2. Poindexter-McClure Funeral Home, Inc., FH11200034

A motion was made and seconded to approve the renewal.

Alford/Cutter
4/0/3
Motion carried.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Robert L. Spann, Sr. for Robert L. Spann, Sr.
Re: Clark-O'Neal Funeral Home, Inc., FH10400018 (Closed)

A motion was made and seconded to deny the request due to the fact that Mr. Spann has not passed away.

Mau/Cooke
6/0/0
Motion carried.

2. Michael R. Jackson for Lucy Hiatt
Re: Clark-O'Neal Funeral Home, Inc., FH10400018 (Closed)

A motion was made and seconded to approve the request in the matter of \$4000.00 plus interest not to exceed the cost of the at-need contract.

Mau/Cutter
6/0/0
Motion carried.

3. Brenda Carr for Flora Alexander
Re: Clark-O'Neal Funeral Home, Inc., FH10400018 (Closed)

A motion was made and seconded to approve the request in the matter of \$5526.50 plus interest not to exceed the cost of the at-need contract.

Mau/Alford
6/0/0
Motion carried.

4. Chapman Funeral Home for Evelyn M. Hodges
Re: R.D. Pyke Funeral Service, FH89200005 (Closed)

A motion was made and seconded to approve the request in the matter of \$995.00 plus interest not to exceed the cost of the at-need contract.

Mau/Alford
6/0/0
Motion carried.

5. Pruzin Brothers Funeral Home for Josephine Hoskins
Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to approve the request in the matter of \$4500.00 plus interest not to exceed the cost of the at-need contract pending receipt of a death certificate.

Frain/Cutter
6/0/0
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve and deny the courses as indicated below.

Cutter/Alford
4/0/2
Motion carried.

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Astral Industries, Inc., CE21500016 – No IN law

- Casket Manufacturing Plan Tour, Ongoing, 1 CEU
- How The Families' Needs & Wants are Changing, Ongoing, 1 CEU
- Enhancing Revenues, Ongoing, 1 CEU

Indiana State Coroners Training Board, CE21200008 - No IN Law

- 40 Hour Medicolegal Death Investigation, February 10, 2016 – February 14, 2016, 40 CEUs

International Order of the Golden Rule, CE10800865 – No IN Law

- 2016 Young Professionals Event, February 29, 2016, 6 CEUs
- 2016 Annual Conference & Supplier Showcase, April 28 – April 30, 2016, 10 CEUs
- Unhackable: Procedures for Protecting You and Your Clients Families' Info, May 10, 2016, 1 CEU
- How Body Presentation Can Make or Break the Casket, May 11, 2016, 1 CEU

- How Have the Talk of a Lifetime Will Increase ROI, May 12, 2016, 1 CEU
- The Why of Meaningful Funerals, July 21, 2016, 1 CEU
- Everything You Need to Know to Reach Your Families: Creating a Business Facebook Page, February 11, 2016, 1 CEU
- Maintaining Quality & Productive Personnel, March 8, 2016, 1 CEU
- Do's and Don't's: A Closer Look at Prep Room Safety, April 7, 2016

National Funeral Directors & Morticians Association, CE10800785 – No IN Law

- Health & Mental Wellness: Are We Healthy Enough to Care For the Dead?, January 25, 2016, 1 CEU
- Embalming Techniques, January 25, 2016, 1 CEU
- Blueprint for Financial Success, January 25, 2015, 1 CEU
- Guidelines to Success F. S. Career, January 25, 2016, 1 CEU

OFDA District One, CE20800910 – No IN Law

- OMort Response Crash and Ebola, February 17, 2016, 2 CEUs
- Matt Smith Restorative Arts Course, September 14, 2016, 8 CEUs
- Resolving Prep Glitches w/Minor Fixes, March 16, 2016, 2 CEUs

Selected Independent Funeral Homes, CE10800819 – No IN Law

- Staff Training Is a Team Effort, April 28, 2016, 1 CEU
- Numbers That Matter, April 28, 2016, 1 CEU
- Burnout Brings Bad Things, April 28, 2016, 1 CEU
- Creating Memorable Community Events, April 28, 2016, 3 CEUs

Vincennes University, CE10800844

- Preneed burial services or merchandise, February 26, 2016, 1 CEU – IC 30-2-13
- The practice of funeral service, February 26, 2016, 1 CEU – IC 25-15-2-22
- The cremation act, February 26, 2016, 1 CEU – IC 23-14-31
- The cemetery act, February 26, 2016, 1 CEU – IC 23-14
- Alkaline Hydrolysis, February 26, 2016, 1 CEU
- Plastination, February 26, 2016, 1 CEU

Wabash Valley Funeral Directors Association, CE21400020 – No IN Law

- Funeral Preneed Options, March 24, 2016, 3 CEUs

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:10 p.m.